

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

JAVIER AND LETICIA ZAMORA and
DANIEL PEREZ and ELIZABETH PEREZ,

Plaintiff,

vs.

WACHOVIA CORPORATION and WORLD
SAVINGS BANK,

Defendants.

Case No.: C 07-4603 JSW

[PROPOSED] PRE-TRIAL ORDER NO. 1

The Honorable Jeffrey S. White

In order to promote the just, expeditious and cost-effective resolution of this litigation, IT
IS HEREBY ORDERED as follows:

I. APPOINTMENT AND ORGANIZATION OF PLAINTIFFS' LEAD INTERIM CLASS COUNSEL

A. Pursuant to Federal Rule of Civil Procedure 23(g), the following counsel is
designated to act on behalf of Plaintiffs and the Class in this action and all subsequent related and
consolidated actions unless otherwise ordered by the Court ("Lead Interim Class Counsel"):

BONNETT FAIRBOURN FRIEDMAN & BALINT, P.C.
ANDREW S. FRIEDMAN (*Pro Hac Vice*)
2901 N. Central Avenue
Suite 1000
Phoenix, AZ 85012
Telephone: 602/274-1100

B. Lead Interim Class Counsel is directed to mail a copy of this Order to all counsel
of record in this action.

1 C. Lead Interim Class Counsel is expected to maintain communications and promote
2 harmonious dealings among all Plaintiffs' counsel. Lead Interim Class Counsel shall provide
3 general supervision of the activities of Plaintiffs' counsel and shall have the following
4 responsibilities and duties to perform or delegate as appropriate:

- 5 1. to brief and argue motions;
- 6 2. to initiate and conduct discovery, including, without limitation,
7 coordination of discovery with Defendant's counsel, the preparation of written interrogatories,
8 requests for admissions and requests for production of documents;
- 9 3. to direct and coordinate the examination of witnesses in depositions;
- 10 4. to act as spokesperson at pretrial conferences;
- 11 5. to call and chair meetings of counsel as appropriate or necessary from time
12 to time;
- 13 6. to initiate and conduct any settlement negotiations with counsel for
14 Defendant;
- 15 7. to provide general coordination of the activities of Plaintiffs' counsel and
16 to delegate work responsibilities to selected counsel as may be required in such a manner as to
17 lead to the orderly and efficient prosecution of this litigation and to avoid duplication or
18 unproductive effort;
- 19 8. to consult with and employ experts;
- 20 9. to receive and review periodic time reports of all attorneys on behalf of
21 Plaintiffs and to determine if the time is being spent appropriately and for the benefit of Plaintiffs;
22 and

10. to perform such other duties as may be expressly authorized by further order of this Court.

D. Defendant's counsel may rely upon all agreements made with Plaintiffs' Lead Interim Class Counsel and such agreements shall be binding on Plaintiffs and Plaintiffs' counsel in this action and any subsequent related and consolidated actions.

II. APPLICATION OF THIS ORDER TO SUBSEQUENT RELATED ACTIONS

A. Because subsequent related cases may be filed in or transferred to this Court, this Court will issue orders to the extent practicable calling for such matters to be consolidated with this action pursuant to Federal Rule of Civil Procedure 42 and to otherwise proceed in a manner consistent with the schedule in this action.

B. All future plaintiffs' counsel in subsequent related and consolidated must be authorized in advance by Lead Interim Class Counsel to assume responsibilities related to those of the law firm designated above as Lead Interim Class Counsel.

III. MISCELLANEOUS

A. Counsel for all parties are directed to cooperate with one another, whenever possible, to promote the expeditious handling of pretrial proceedings in this action.

B. All subsequent pretrial orders issued in this action shall be numbered consecutively. Any reference to an Order of this Court in any document filed with the Court shall include the proper number of the Order.

C. This Order may be amended by the Court on its own motion, and any party may apply at any time to this Court for a modification or exception to this Order.

D. Service of any pleading, motion or other paper shall be made by hand delivery, facsimile, overnight delivery or by United States mail to counsel for Defendant and to Lead

1 Interim Class Counsel, as well as by e-mail to the designated e-mail distribution lists submitted
2 by each party, as updated.

3 E. All Plaintiffs' counsel in this action and counsel of any subsequent related and
4 consolidated actions shall submit a record of the time expended on these matters on a monthly
5 basis in a manner prescribed by Lead Interim Class Counsel.

6 IT IS SO ORDERED.

7
8 DATED: _____, 2008.

9
10
11 _____
12 JEFFREY S. WHITE
13 UNITED STATES DISTRICT JUDGE
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28